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C O N F I D E N T I A L SECTION 01 OF 03 BAGHDAD 002799

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TAGS: [KWMN](#) [PHUM](#) [PGOV](#) [IZ](#)

SUBJECT: TIME TO BATTEN DOWN THE HATCHES OVER SHARI'A

Classified By: POLITICAL COUNSELOR ROBERT S. FORD.
REASONS 1.4 (B) AND (D).

11. (C) SUMMARY. At the July 30 Gender Working group, an Embassy-sponsored forum for women representing all sectors of society to express their views, the only clear consensus among participants was of the pressing need to educate the Iraqi public -- especially women -- regarding their rights and the role of the constitution. Participants generally agreed that a quota system is necessary to ensure adequate representation of women in the government, but some advocated limiting that system. Members of the women's branch of Supreme Council for Islamic Revolution in Iraq (SCIRI) attended the meeting for the first time, generating a heated discussion when they advocated Shari'a as the main source for the constitution. Conservative Muslims, non-Muslims, and secularists did not find common ground on the extent to which Shari'a should be a source for the constitution. END SUMMARY.

LITTLE CONSENSUS ON CONSTITUTIONAL ISSUES

12. (C) Iraqi women participated in a heated discussion of the constitution during the weekly Embassy-sponsored Gender Working Group meeting. This group has evolved as a forum for women representing all sectors of society to express their views and listen to the views of others in a mutually respectful environment. Comprising Sunnis, Shi'a, Kurds, Turkmen, and Christians, as well as Islamic conservatives and secularists, the group agreed on only one issue during this meeting -- the need for education and outreach at the grassroots level. Former Governing Council member Songul Chapook told the group that, during a recent meeting in Kirkuk she realized that most women are 'ignorant' not only regarding the constitution, but also with respect to their basic rights. (COMMENT: The need for outreach has been a common theme in these meetings, and is echoed by conservative and liberal elements alike. At the June 23 meeting, Sadr City Council member Siham Hattab emphasized that the public's lack of knowledge about such issues as federalism and women's rights means that they will rely exclusively on their religious leaders or, in the case of women, their male relatives. There are women-oriented outreach programs underway through USIP, NDI, America's Democratic Foundation, and other USAID grantees. The challenge is to get these programs to extend more broadly down to the grassroots level sooner rather than later, if possible. END COMMENT.)

13. (C) Although the women did not all agree about the need for a quota system to ensure adequate representation by women in the government, the majority said it is necessary to include such a system in the constitution. The real bone of contention regarding this issue, however, was its implementation. Some suggested that the quota system supports the "quantity over quality" approach, while others insisted that it is a way for women -- while a cadre of competent representatives is developed -- to have a voice that they would not otherwise have. Many favored including a quota provision in the constitution, but with specific time limitations.

14. (C) Participants reached partial consensus that the constitution should be based on international human rights standards and accord all Iraqis -- men and women alike -- due process and equal status before the law. Several women suggested that the constitution should guarantee women social security benefits, unemployment compensation, and medical insurance, while others argued that it should guarantee only the most basic rights and legislation could be enacted afterwards to address issues such as these.

SCIRI SCARE

15. (C) The discussion of the relationship between religion and state was the most heated. Secular and non-Muslim participants argued that basing the constitution on Shari'a would limit the rights of non-Muslims in general and women in particular. The conservatives countered that it is not Shari'a that limits women's rights. Rather, they argued, it is 'tradition' that plays a larger role in impeding women's rights.

16. (C) Thekra Fadhel and Ethar Hussain, both members of Shaheed Al Mihrab, which is SCIRI's women's branch, argued strongly and intractably for a constitution based on Shari'a, saying that "God is the source of all things" and insisting that it is only right that the country's legal foundation should be based on this concept. The SCIRI women generated strong debate, eliciting negative reactions from almost every other participant -- to include representatives from the Iraqi Women's Islamic League.

17. (C) COMMENT: The SCIRI representatives have not previously attended meetings of the Gender Working Group. Their apparent objective was to influence this group and use it as a platform for conservative policies. According to Shilair Rasheed Mohammed (Kurdish list - hardly a disinterested party), the conservative agenda is to push the "Iranian model." She told PolFSN on June 29 that, when other constitutional models are referenced during Constitution Committee meetings, the List 169 delegates invariably raises the Iranian model. END COMMENT.

CONSTITUTION COMMITTEE MEMBERS SILENT

18. (C) Despite the uproar caused by the SCIRI women, Constitution Committee members Munira Abdul and Narjis Majeed Amin, both from the Kurdish list, had little reaction to any of the discussion. Their input was limited to a brief overview of articles in Kurdistan's law that support women's rights. While they expressed openness to listening to the women's recommendations, they had little to add to the overall discussion.

COMMENT

19. (C) The Gender Working Group meetings have provided Post with invaluable insight into the minds of Iraqi women of all orientations. Participation has grown from less than a dozen women to standing room only. Clearly Iraq's women want and need a forum for addressing those issues of concern to them. Today's meeting went far to clarify the thinking of these women relative to the constitution. It is important to note that, even these women -- who tend to be more politically engaged and educated -- struggle with what a constitution is and can actually do for them. One must wonder then, what the average, less-educated woman understands about the political and constitutional development processes. At a minimum, it highlights the need for aggressive outreach and education campaigns.

110. (C) Most striking was the reaction of the working group participants to the statements made by the SCIRI women. The room simply erupted before they even finished speaking. Many women were almost out of their seats as they vocally and dramatically argued the extent to which Shari'a should play a role in the constitution. There were no pretenses at politeness. It was no easy feat to calm the group, and it was clear that there would be no consensus on this issue. Also palpable was the fear of the majority regarding the influence the List 169 views on religion and state would have on their future rights. As one observer so aptly put it, "If this group is representative of the Iraqi people on this issue, it is time to batten down the hatches." Kurdish women, including those who are not secular, tend to be some of the most vocal supporters of women's rights. The apparent reluctance of prominent Kurdish women such as Munira Abdul and Narjis Majeed Amin, to say anything substantive on women's issues was noticeable. If Iraqi women who espouse non-Islamist views do not develop strong, articulate leadership, it will be harder for them to push back against Islamist conservatives. END COMMENT.

111. (U) REO HILLA, REO BASRA, REO MOSUL, and REO KIRKUK, minimize considered.

